

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

ANTONIO MENDEZ,

Defendant.

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VICTOR MARRERO, United States District Judge.

The Court received a request from Defendant Antonio Mendez ("Mendez") for the appointment of pro bono habeas counsel so that he may seek relief pursuant to 28 U.S.C. Section 2255 and the Supreme Court's recent decision in Rehaif v. United States, 139 S. Ct. 2191 (2019). (See "Mendez's Letter," Dkt. No. 42.) On October 18, 2019, the Court ordered the U.S. Attorney's Office to respond to Mendez's Letter. (See Dkt. No. 44.) On November 17, 2019, the U.S. Attorney's Office submitted its letter explaining why Mendez did not qualify for relief under Rehaif. (See "Government's Letter," Dkt. No. 45.) On November 22, 2019, the Court endorsed the Government's Letter and ordered Mendez to respond within 45 days. (See "November 22 Order," Dkt. No. 46.) Because it appears that Mendez did not receive the November 22 Order, the Court hereby ORDERS that:

The Clerk of Court shall send a copy of this Order and the November 22 Order (Dkt. No. 46) to Mendez. The deadline

for Mendez's response set forth in the November 22 Order is hereby withdrawn. Within forty-five (45) days of the date of this Order, Mendez shall file a response to the Government's Letter.

SO ORDERED.

Dated: New York, New York
5 December 2019



VICTOR MARRERO
U.S.D.J.